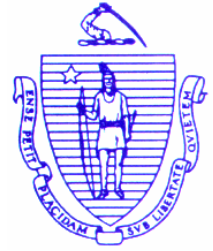




Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, MA 02114
(617) 626.1520
Fax (617) 626.1509



NOTICE OF PUBLIC HEARINGS
SCHEDULED FOR MAY 27 & 29, 2003

Under the provisions of M.G.L. Ch 30A and pursuant to the authority found in M.G.L. Ch. 130 ss. 17A, 30A, 80 and 104, Division of Marine Fisheries (DMF) and the Marine Fisheries Commission (MFC) have scheduled hearings on the following regulatory proposals. Contact DMF for draft regulations and further details.

Accept comments pertaining to a proposed state-wide effort control plan for the commercial lobster fishery for the fishing year 2004 and beyond.

1. *Marine Fisheries* proposes to provide each holder of a commercial fishermen permit for coastal lobster as defined in 322 CMR 7.01:
 - a) an initial trap allocation based on fishing history reported during 1997 – 2001. Years when no traps were reported fished shall not be included in the calculation. During years 1999, 2000, or 2001 if the number of trap tags purchased is less than the maximum traps reported fished, the lower of the two values will be used in the calculation;
 - b) an initial transferable allocation that is the lower number of: (1) the trap allocation or (2) a trap allocation based on DMF published tables depicting calculations of average traps required to harvest the reported average pounds during 1997-2001 within each LCMA.
2. *Marine Fisheries* proposes to enact a transfer program that would entitle holders of a commercial lobster permit as defined by 322 CMR 7.01 to increase or decrease their trap allocation through the trap program that includes:
 - a) a transferable allocation equal to the initial transferable allocation adjusted by the number of transferable traps the permit holder has acquired or transferred to another permit holder within the LCMA;
 - b) a non-transferable allocation equal to the difference between the trap allocation and the transferable allocation;
 - c) a transfer trap debit that is the area specific percentage of each allocation transfer transaction retained by the Division for conservation purposes as defined by the Division and subject to criteria developed by the Division, and not restricted by the Director under his authority to condition permits.
 - d) a November 30 deadline in any calendar year for transfer applications towards the next fishing year;
 - e) a cap on the amount of traps to be transferred not to exceed the permit holder's total transferable trap allocation;
 - f) a prohibition on the transfer of traps not in 50-trap multiples;
 - g) a prohibition on the retention of a transferable allocation equal to less than 50 traps;
 - h) a prohibition on the leasing of commercial fisherman permits for coastal lobster.

Two public hearings have been scheduled:

Tuesday, May 27, 2003 (6PM) at the Gloucester High School (32 Leslie Johnson Rd.) and
Thursday, May 29, 2003 (10AM) at the Taunton Holiday Inn (700 Myles Standish Blvd.).

Comments received by e-mail, fax or mail will be accepted until 5PM on Wednesday, June 4, 2003.

For further information please visit our website at www.mass.gov/marinefisheries.